

**FLATHEAD COUNTY PLANNING BOARD
MINUTES OF THE MEETING
FEBRUARY 20, 2008**

**CALL TO
ORDER**

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. Board members present were Rita Hall, Randy Toavs, Marc Pitman, Mike Mower, Gordon Cross, Gene Dziza, and Frank DeKort. Alex Hogle and Jeff Harris represented the Flathead County Planning & Zoning Office.

There were approximately 18 people in the audience.

PUBLIC REVIEW

Gordon Cross reviewed the public hearing process.

**APPROVAL OF
MINUTES**

No minutes approved.

**PUBLIC
COMMENT
(not related to
agenda items)**

**PRELIMINARY
PLAT/
EAGLE VIEW
RANCH II
FPP 07-41**

A request by Stillwater 42 LLC, for Preliminary Plat approval of Eagle View Ranch II, s five lot single-family residential subdivision on 21.10 acres. Lots in the subdivision are proposed to have individual water and septic systems. The property is located on the west side of the intersection of Eagle View Ranch Road and Highway 93 West, in Whitefish.

STAFF REPORT

Alex Hogle reviewed Staff Report FPP 07-41 for the Board.

**BOARD
QUESTIONS**

Hall asked why the property was done in phases.

Hogle said the owner of the property could answer that question.

Hall asked if the access to Hwy 93 addressed ten lots instead of five lots.

Hogle said it covered the access of lots proposed.

**APPLICANT
PRESENTATION**

Narda Wilson, technical assistance, said it is a re-subdivision of a remainder parcel. The future phase was anticipated in the CC&R's of Eagles View Ranch and was planned from the beginning to have phases. One of the reasons it was done in two phases was because the first phase was done as a minor

subdivision. She said the Stillwater River lies to the West of the property. She pointed out the primary wildlife corridor on the map. The proximity of subdivision limits the potential impacts there would be to wildlife. The developer is proposing a 20 foot wide landscape buffer to attempt to provide buffering between Hwy 93 and the residents of the subdivision. There was an approach permit issued by MDOT for ten lots initially. She said there is no evidence based on the tests done that there is any groundwater. She questioned the appropriateness of the condition stating no further subdivision and said there were no findings in the Staff Report to support the conditions. She doesn't object to cash in lieu of park land.

Hall asked if the drain field extending onto adjoining properties would limit the building area.

Wilson said they are not really drain fields. She pointed on the map where the drain fields were located.

Hogle said the Staff Report stated the approach permit was for ten lots but it is only for seven lots.

**PUBLIC
COMMENT**

Brian Crabb, 3975 Hwy 93 West, said the COS says the land is for agriculture only. He handed out a copy of the COS and asked about the statement listed on the face.

Hogle said the first subdivision from the applicant was referred to as Montana Subdivision. He was surprised it was not addressed during the first subdivision. He said it causes a civil matter.

Pitman asked if the original subdivision went to the Planning Board.

Hogle said no because it was a first minor.

Wilson said when you look at the COS the parcel was created by an AG exemption meaning it's not subject to DEQ review for sanitation because it was only used for AG. She said it is not a restriction, it's an exemption.

Harris said the application is not a phased subdivision. It is a follow along subdivision that is distinct from the first one. Harris read the statement on the COS. He said the issues need to be researched more and discussed with the County Attorney.

The Board discussed tabling the project until further research is done.

**MOTION TO
TABLE**

Dziza made a motion seconded by Mower to table FPP 07-41 until the next available meeting date.

**ROLL CALL TO
TABLE**

On a roll call vote the motion passed unanimously.

**PRELIMINARY
PLAT/
SADDLEHORN I
FPP 07-35**

A request by Quarter Circle LA Ranches, Inc., for Preliminary Plat approval of Saddlehorn I First Amended Plat, a forty-four (22 single-family and 22 townhouses) lot residential subdivision on 22.37 acres. Lots in the subdivision are proposed to have public water and sewer systems. The property is located south of MT Highway 209 in Bigfork, and can legally be described as future residential developments 1-7 in Saddlehorn I Planned Unit Development.

STAFF REPORT

Alex Hogle reviewed Staff Report FPP 07-35 for the Board.

BOARD

Hall asked how she can make a recommendation of approval

QUESTIONS

when there are issues with health and safety like the roads. Hogle said the standards were adopted as a result of significant review and discussions of a PUD. PUD's are a tool designed to allow some flexibility on certain types of subdivision improvements. It is very debatable if one standard is right for all areas. He feels confident about making a recommendation of approval.

APPLICANT PRESENTATION

Doug Averill, said it is a PUD project that can be crafted into special type uses. The project started a few years back when he bought a neighboring piece of property. He showed a map showing where properties were located and the first phases. He tried to craft a community that would fit the character of Bigfork with a lower density and tuck it out of sight. He tried to configure a project that was much lower density then what would typically go on the property. There is a lot of open space. The road issue keeps coming up every time he goes to the PB. The whole idea was to create a walking community and for people to park their car and walk to their home. He brought in international people to help with the design and feels they have met the road standards. The PUD in the original application was 24 feet for main roads and 18 feet for arterials. They have their own fire station and trucks. He is very confident about their roads. The project has been designed from top to bottom with the Montana mystic in mind. There are 10 miles of horse and biking trails. The project has city sewer and water. The wildlife has been addressed all the way through the project and every home site has a specific foot print. All of the lots have open space on one side of their property. There is down lighting, protecting the dark sky, non reflective glass, etc. and there is a distribution center for the deliveries. All the trails are interconnected. The LEAD program is a leadership project in energy and designs. The LEAD program picked Saddlehorn as one of the most environmentally safe projects they have ever seen. The issue with slopes keeps coming up. He said the slopes have been engineered to death and will comply with all standards. He is planning on cutting and filling the driveways and designing the homes at the lowest slope. Saddlehorn has their own plowing equipment on site with two engineers monitoring the project daily. The project fits the Bigfork Growth Policy. They have been through 10 public hearings and had unanimous support. He introduced his technical assistance.

Pitman asked about fire hydrants.

Averill said there are fire hydrants every 400 feet. There are

multiple ponds and waterfalls with draft hydrants in them. They have a huge amount of water available on site and have their own fire prescription they use. He said the property is weed free with extensive landscape and natural planning.

Toavs asked if the people could drive to their homes and park there.

Averill said yes, they can drive to their house.

Toavs asked if there were any one way roads.

Averill said everything is looped and none of the roads are one way.

Dziza asked about condition six regarding the letter from the fire chief. He said there was a letter from the fire chief stating the roads had to be 20 feet wide to comply.

Frasier said it was satisfied the first go around so it wouldn't be a problem this time.

Hogle said there is a variety of drive ways proposed. The subdivision regulations address drive ways and that is why the condition was included.

Frasier said the correct percent slope will be met at final plat.

Pitman asked if the typical road was 18 feet with a 3 foot shoulder.

Frasier said they are approved for one foot shoulders.

**PUBLIC
COMMENT**

George Darrel, lives on a farm just North of Bigfork said he is very pleased with how the Averill's have taken care of the property. He handed out post cards so the Board could hold the whole subdivision in their hands. The developers of Saddlehorn are local people that live in Bigfork so it is not a project being done by someone out of state. The developers are part of the community and will continue to be part of the community. The project is going to be a major extension of the Bigfork community and will fit with the character of Bigfork. Bigfork is going to have an opportunity to share in the development and Bigfork welcomes the property.

Elna Darrow, 924 Chapman Hill, is the vice chair of the Steering Committee. Craig Wagner asked her to give a few remarks on their behalf. She has had the opportunity to comment on Saddlehorn many times and it is one of the finest projects they have ever seen. Saddlehorn fits the Bigfork community beautifully.

**APPLICANT
REBUTTAL**

None.

**STAFF
REBUTTAL**

Harris said Staff is not opposed to walk in housing.

**BOARD
DISCUSSION**

None.

**MOTION TO
ADOPT F.O.F.**

Dziza made a motion seconded by Mower to adopt FPP 07-35 as findings of fact.

**BOARD
DISCUSSION**

Mower said he isn't sure all of the findings are fact. He said anything that starts with an "if" is not a finding of fact. He is fine with the findings, but would like the format adjusted.

Harris said it is a good topic for their retreat.

**ROLL CALL TO
ADOPT F.O.F.**

On a roll call vote the motion passed unanimously.

**MOTION TO
RECOMMEND
APPROVAL**

Dziza made a motion seconded by Hall to recommend approval of FPP 07-35.

**MOTION TO
AMEND**

Mower made a motion seconded by Pitman to amend condition 4 to state: *Utility easements shall be at a minimum 10 feet wide*

- CONDITION 4** *unless otherwise specified by the utility company. These easements shall be shown on the face of the final plat.*
- ROLL CALL TO AMEND CONDITION 4** On a roll call vote the motion passed unanimously.
- MOTION TO ADD CONDITION 21** Pitman made a motion seconded by Dziza to add condition 21 to state: *All infrastructure improvements shall be constructed in conformance with the approved standards outlined in the Final PUD Plan.*
- ROLL CALL TO ADD CONDITION 21** On a roll call vote the motion passed unanimously.
- NEW BUSINESS** Harris said the Commissioners appointed two new Planning Board members: Jim Heim and Marie Hickey Au Claire.
- The Board discussed the subdivision regulations.
- OLD BUSINESS** Harris said March 5th is the next subdivision regulation meeting.
- ADJOURNMENT** The meeting was adjourned at approximately 8:50 p.m. on a motion by Mower seconded by Dziza. The next meeting will be held at 6:00 p.m. on March 5, 2008.

Gordon Cross, President

Kayla Kile, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: 3/26/08